



Sen. Pamela J. Althoff

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09900SB1049sam002

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1 AMENDMENT TO SENATE BILL 1049

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1049 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 2-156, 3-147, 4-138, 5-227, 6-221, 7-219,  
6 8-251, 9-235, 10-109, 11-230, 12-191, 13-807, 14-149, 15-187,  
7 16-199, 17-149.1, and 18-163 as follows:

8 (40 ILCS 5/2-156) (from Ch. 108 1/2, par. 2-156)

9 Sec. 2-156. Felony conviction. None of the benefits herein  
10 provided for shall be paid to any person who is convicted of  
11 any felony relating to or arising out of or in connection with  
12 his or her service as a member.

13 None of the benefits provided for in this Article shall be  
14 paid to any person who otherwise would receive a survivor  
15 benefit who is convicted of any felony relating to or arising  
16 out of or in connection with the service of the member from

1 whom the benefit results.

2 This Section shall not operate to impair any contract or  
3 vested right acquired prior to July 11, 1955 under any law or  
4 laws continued in this Article, nor to preclude the right to a  
5 refund.

6 All participants entering service subsequent to July 11,  
7 1955 shall be deemed to have consented to the provisions of  
8 this Section as a condition of participation.

9 (Source: P.A. 83-1440.)

10 (40 ILCS 5/3-147) (from Ch. 108 1/2, par. 3-147)

11 Sec. 3-147. Felony conviction. None of the benefits  
12 provided in this Article shall be paid to any person who is  
13 convicted of any felony relating to or arising out of or in  
14 connection with his or her service as a police officer.

15 None of the benefits provided for in this Article shall be  
16 paid to any person who otherwise would receive a survivor  
17 benefit who is convicted of any felony relating to or arising  
18 out of or in connection with the service of the police officer  
19 from whom the benefit results.

20 This Section shall not impair any contract or vested right  
21 acquired prior to July 11, 1955 under any law continued in this  
22 Article, nor preclude the right to a refund.

23 All persons entering service subsequent to July 11, 1955  
24 are deemed to have consented to the provisions of this Section  
25 as a condition of coverage.

1 (Source: P.A. 83-1440.)

2 (40 ILCS 5/4-138) (from Ch. 108 1/2, par. 4-138)

3 Sec. 4-138. Felony conviction. None of the benefits  
4 provided under this Article shall be paid to any person who is  
5 convicted of any felony relating to or arising out of or in  
6 connection with service as a firefighter.

7 None of the benefits provided for in this Article shall be  
8 paid to any person who otherwise would receive a survivor  
9 benefit who is convicted of any felony relating to or arising  
10 out of or in connection with the service of the firefighter  
11 from whom the benefit results.

12 This Section shall not impair any contract or vested right  
13 acquired prior to July 11, 1955 under any law continued in this  
14 Article, nor preclude the right to a refund.

15 All persons entering service subsequent to July 11, 1955,  
16 are deemed to have consented to the provisions of this Section  
17 as a condition of coverage.

18 (Source: P.A. 83-1440.)

19 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

20 Sec. 5-227. Felony conviction. None of the benefits  
21 provided for in this Article shall be paid to any person who is  
22 convicted of any felony relating to or arising out of or in  
23 connection with his service as a policeman.

24 None of the benefits provided for in this Article shall be

1 paid to any person who otherwise would receive a survivor  
2 benefit who is convicted of any felony relating to or arising  
3 out of or in connection with the service of the policeman from  
4 whom the benefit results.

5 None of the benefits provided for in this Article shall be  
6 paid to any person who is convicted of any felony while in  
7 receipt of disability benefits.

8 None of the benefits provided for in this Article shall be  
9 paid to any person who is convicted of any felony relating to  
10 or arising out of or in connection with the intentional and  
11 wrongful death of a police officer, either active or retired,  
12 through whom such person would become eligible to receive, or  
13 is receiving, an annuity under this Article.

14 This Section shall not operate to impair any contract or  
15 vested right heretofore acquired under any law or laws  
16 continued in this Article, nor to preclude the right to a  
17 refund.

18 All future entrants entering service subsequent to July 11,  
19 1955, shall be deemed to have consented to the provisions of  
20 this Section as a condition of coverage.

21 (Source: P.A. 83-809.)

22 (40 ILCS 5/6-221) (from Ch. 108 1/2, par. 6-221)

23 Sec. 6-221. Felony conviction. None of the benefits  
24 provided in this Article shall be paid to any person who is  
25 convicted of any felony relating to or arising out of or in

1 connection with his service as a fireman.

2 None of the benefits provided for in this Article shall be  
3 paid to any person who otherwise would receive a survivor  
4 benefit who is convicted of any felony relating to or arising  
5 out of or in connection with the service of the fireman from  
6 whom the benefit results.

7 This section shall not operate to impair any contract or  
8 vested right heretofore acquired under any law or laws  
9 continued in this Article, nor to preclude the right to a  
10 refund.

11 All future entrants after July 11, 1955 shall be deemed to  
12 have consented to the provisions of this section as a condition  
13 of coverage.

14 (Source: Laws 1963, p. 161.)

15 (40 ILCS 5/7-219) (from Ch. 108 1/2, par. 7-219)

16 Sec. 7-219. Felony conviction.

17 None of the benefits provided for in this Article shall be  
18 paid to any person who is convicted of any felony relating to  
19 or arising out of or in connection with his service as an  
20 employee.

21 None of the benefits provided for in this Article shall be  
22 paid to any person who otherwise would receive a survivor  
23 benefit who is convicted of any felony relating to or arising  
24 out of or in connection with the service of the employee from  
25 whom the benefit results.

1           This Section shall not operate to impair any contract or  
2 vested right heretofore acquired under any law or laws  
3 continued in this Article, nor to preclude the right to a  
4 refund.

5           All future entrants entering service subsequent to July 9,  
6 1955 shall be deemed to have consented to the provisions of  
7 this Section as a condition of coverage.

8           (Source: Laws 1963, p. 161.)

9           (40 ILCS 5/8-251) (from Ch. 108 1/2, par. 8-251)

10          Sec. 8-251. Felony conviction.

11          None of the benefits provided for in this Article shall be  
12 paid to any person who is convicted of any felony relating to  
13 or arising out of or in connection with his service as a  
14 municipal employee.

15          None of the benefits provided for in this Article shall be  
16 paid to any person who otherwise would receive a survivor  
17 benefit who is convicted of any felony relating to or arising  
18 out of or in connection with the service of the employee from  
19 whom the benefit results.

20          This section shall not operate to impair any contract or  
21 vested right heretofore acquired under any law or laws  
22 continued in this Article, nor to preclude the right to a  
23 refund.

24          All future entrants entering service subsequent to July 11,  
25 1955 shall be deemed to have consented to the provisions of

1 this section as a condition of coverage.

2 (Source: Laws 1963, p. 161.)

3 (40 ILCS 5/9-235) (from Ch. 108 1/2, par. 9-235)

4 Sec. 9-235. Felony conviction.

5 None of the benefits provided in this Article shall be paid  
6 to any person who is convicted of any felony relating to or  
7 arising out of or in connection with his service as an  
8 employee.

9 None of the benefits provided for in this Article shall be  
10 paid to any person who otherwise would receive a survivor  
11 benefit who is convicted of any felony relating to or arising  
12 out of or in connection with the service of the employee from  
13 whom the benefit results.

14 This section shall not operate to impair any contract or  
15 vested right heretofore acquired under any law or laws  
16 continued in this Article, nor to preclude the right to a  
17 refund.

18 All future entrants entering service after July 11, 1955,  
19 shall be deemed to have consented to the provisions of this  
20 section as a condition of coverage.

21 (Source: Laws 1963, p. 161.)

22 (40 ILCS 5/10-109)

23 Sec. 10-109. Felony conviction. None of the benefits  
24 provided in this Article shall be paid to any person who is

1 convicted of any felony relating to or arising out of or in  
2 connection with his service as an employee.

3 None of the benefits provided for in this Article shall be  
4 paid to any person who otherwise would receive a survivor  
5 benefit who is convicted of any felony relating to or arising  
6 out of or in connection with the service of the employee from  
7 whom the benefit results.

8 This Section shall not operate to impair any contract or  
9 vested right heretofore acquired under any law or laws  
10 continued in this Article, nor to preclude the right to a  
11 refund.

12 All future entrants entering service after the effective  
13 date of this amendatory Act of the 95th General Assembly shall  
14 be deemed to have consented to the provisions of this Section  
15 as a condition of coverage.

16 (Source: P.A. 95-1036, eff. 2-17-09.)

17 (40 ILCS 5/11-230) (from Ch. 108 1/2, par. 11-230)

18 Sec. 11-230. Felony conviction.

19 None of the benefits provided in this Article shall be paid  
20 to any person who is convicted of any felony relating to or  
21 arising out of or in connection with his service as employee.

22 None of the benefits provided for in this Article shall be  
23 paid to any person who otherwise would receive a survivor  
24 benefit who is convicted of any felony relating to or arising  
25 out of or in connection with the service of the employee from

1 whom the benefit results.

2 This section shall not operate to impair any contract or  
3 vested right heretofore acquired under any law or laws  
4 continued in this Article, nor to preclude the right to a  
5 refund.

6 All future entrants entering service after July 11, 1955,  
7 shall be deemed to have consented to the provisions of this  
8 section as a condition of coverage.

9 (Source: Laws 1963, p. 161.)

10 (40 ILCS 5/12-191) (from Ch. 108 1/2, par. 12-191)

11 Sec. 12-191. Felony conviction.

12 None of the benefits provided for in this Article shall be  
13 paid to any person who is convicted of any felony relating to  
14 or arising out of or in connection with his service as an  
15 employee.

16 None of the benefits provided for in this Article shall be  
17 paid to any person who otherwise would receive a survivor  
18 benefit who is convicted of any felony relating to or arising  
19 out of or in connection with the service of the employee from  
20 whom the benefit results.

21 This section shall not operate to impair any contract or  
22 vested right heretofore acquired under any law or laws  
23 continued in this Article, nor to preclude the right to a  
24 refund.

25 All future entrants entering service subsequent to July 11,

1 1955 shall be deemed to have consented to the provisions of  
2 this section as a condition of coverage.

3 (Source: Laws 1963, p. 161.)

4 (40 ILCS 5/13-807) (from Ch. 108 1/2, par. 13-807)

5 Sec. 13-807. Felony conviction. None of the benefits  
6 provided in this Article shall be paid to any person who is  
7 convicted of any felony relating to or arising out of or in  
8 connection with service as an employee.

9 None of the benefits provided for in this Article shall be  
10 paid to any person who otherwise would receive a survivor  
11 benefit who is convicted of any felony relating to or arising  
12 out of or in connection with the service of the employee from  
13 whom the benefit results.

14 This section shall not operate to impair any contract or  
15 vested right heretofore acquired under any law or laws  
16 continued in this Article, nor to preclude the right to a  
17 refund.

18 All persons entering service subsequent to July 11, 1955  
19 shall be deemed to have consented to the provisions of this  
20 Section as a condition of coverage.

21 (Source: P.A. 87-794.)

22 (40 ILCS 5/14-149) (from Ch. 108 1/2, par. 14-149)

23 Sec. 14-149. Felony conviction. None of the benefits herein  
24 provided for shall be paid to any person who is convicted of

1 any felony relating to or arising out of or in connection with  
2 his service as an employee.

3 None of the benefits provided for in this Article shall be  
4 paid to any person who otherwise would receive a survivor  
5 benefit who is convicted of any felony relating to or arising  
6 out of or in connection with the service of the employee from  
7 whom the benefit results.

8 This Section shall not operate to impair any contract or  
9 vested right heretofore acquired under any law or laws  
10 continued in this Article nor to preclude the right to a  
11 refund.

12 All future entrants entering service subsequent to July 9,  
13 1955 shall be deemed to have consented to the provisions of  
14 this section as a condition of coverage.

15 (Source: P.A. 80-841.)

16 (40 ILCS 5/15-187) (from Ch. 108 1/2, par. 15-187)

17 Sec. 15-187. Felony conviction. None of the benefits  
18 provided under this Article shall be paid to any person who is  
19 convicted of any felony relating to or arising out of or in  
20 connection with a ~~the~~ person's service as an employee from  
21 which the benefit derives.

22 This Section shall not operate to impair any contract or  
23 vested right heretofore acquired under any law or laws  
24 continued in this Article, nor to preclude the right to a  
25 refund. No refund paid to any person who is convicted of a

1 felony relating to or arising out of or in connection with the  
2 person's service as an employee shall include employer  
3 contributions or interest or, in the case of the self-managed  
4 plan authorized under Section 15-158.2, any employer  
5 contributions or investment return on such employer  
6 contributions.

7 All persons entering service subsequent to July 9, 1955  
8 shall be deemed to have consented to the provisions of this  
9 Section as a condition of coverage.

10 (Source: P.A. 93-347, eff. 7-24-03.)

11 (40 ILCS 5/16-199) (from Ch. 108 1/2, par. 16-199)

12 Sec. 16-199. Felony conviction. None of the benefits  
13 provided for in this Article shall be paid to any person who is  
14 convicted of any felony relating to or arising out of or in  
15 connection with his or her service as a teacher.

16 None of the benefits provided for in this Article shall be  
17 paid to any person who otherwise would receive a survivor  
18 benefit who is convicted of any felony relating to or arising  
19 out of or in connection with the service of the teacher from  
20 whom the benefit results.

21 This Section shall not operate to impair any contract or  
22 vested right acquired prior to July 9, 1955 under any law or  
23 laws continued in this Article, nor to preclude the right to a  
24 refund. The System may sue any such person to collect all  
25 moneys paid in excess of refundable contributions.

1 All teachers entering or re-entering service after July 9,  
2 1955 shall be deemed to have consented to the provisions of  
3 this Section as a condition of membership.

4 (Source: P.A. 85-1008.)

5 (40 ILCS 5/17-149.1) (from Ch. 108 1/2, par. 17-149.1)

6 Sec. 17-149.1. Felony conviction. None of the benefits  
7 provided for in this Article shall be paid to any person who is  
8 convicted of any felony relating to or arising out of or in  
9 connection with his or her service as a teacher.

10 None of the benefits provided for in this Article shall be  
11 paid to any person who otherwise would receive a survivor  
12 benefit who is convicted of any felony relating to or arising  
13 out of or in connection with the service of the teacher from  
14 whom the benefit results.

15 This Section shall not operate to impair any contract or  
16 vested right acquired prior to January 1, 1988, nor to preclude  
17 the right to a refund.

18 All teachers entering service after January 1, 1988 shall  
19 be deemed to have consented to the provisions of this Section  
20 as a condition of membership.

21 (Source: P.A. 85-964.)

22 (40 ILCS 5/18-163) (from Ch. 108 1/2, par. 18-163)

23 Sec. 18-163. Felony conviction. None of the benefits herein  
24 provided shall be paid to any person who is convicted of any

1 felony relating to or arising out of or in connection with his  
2 or her service as a judge.

3 None of the benefits provided for in this Article shall be  
4 paid to any person who otherwise would receive a survivor  
5 benefit who is convicted of any felony relating to or arising  
6 out of or in connection with the service of the judge from whom  
7 the benefit results.

8 This Section shall not operate to impair any contract or  
9 vested right acquired before July 9, 1955 under any law or laws  
10 continued in this Article, nor to preclude the right to a  
11 refund.

12 All participants entering service subsequent to July 9,  
13 1955 are deemed to have consented to the provisions of this  
14 Section as a condition of participation.

15 (Source: P.A. 83-1440.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.".